

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Matthew Lynch et al. : Group Art Unit (of patent application): 1756
Serial No. : Examiner (of parent application):
Jennifer R. Sadula
Filed: : Continuation of U.S. Patent Application
Serial No. 09/789,883
For: CUBIC LIQUID CRYSTALLINE COMPOSITIONS AND METHODS FOR
THEIR PREPARATION

INFORMATION DISCLOSURE STATEMENT

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

After allowance of the parent application, a third party submitted documents under 37 C.F.R. § 1.99. The purpose of filing this continuation application is to get those documents considered and made of record in the present application. A copy of the submission is attached. Of the listed documents, U.S. Patent 5,531,925, Landh et al., is already of record in the parent application—and that application was allowed over it. The attached PTO-1449 form lists the documents included in this third party submission, as well as the documents of record in the parent case.

The documents cited in the Third Party Submission under 37 C.F.R. § 1.99 are as follows:

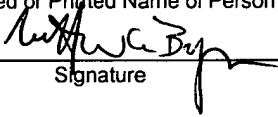
<u>U.S. PATENTS</u>	<u>PUBLICATION DATE</u>	<u>APPLICANT</u>
6,482,517 B1	11-19-2002	Anderson
5,151,272	09-29-1992	Engstrom et al.
5,531,925	07-02-1996	Landh et al.

OTHER REFERENCES

- Alfons and Engstrom, "Drug Compatibility with the Sponge Phases Formed in Monoolein, Water, and Propylene Glycol or Poly(ethylene glycol)," J. Pharm. Sci. Vol. 87, No. 12, 1527-1530 (December 1998)
- Fontell, "Cubic phases in surfactant and surfactant-like lipid systems," Colloid. Polym. Sci. 268:264-285 (1990)
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- Lindblom et al., "Phase Equilibria of Membrane Lipids from *Acholeplasma laidlawii*: Importance of a Single Lipid Forming Nonlamellar Phases," Biochemistry 25, 7502-7510 (1986)
- Engström et al., "A study of polar lipid drug carrier systems undergoing a thermoreversible lamellar-to-cubic phase transition," Int. J. Pharmaceutics, 86 137-145 (1992)
- Engström et al., "Phase behavior of the lidocaine-monoolein-water system," Int. J. Pharmaceutics, 79 113-122 (1992)

Pursuant to the waiver published in the Pre-OG Notice, dated July 11, 2003, no copies are provided herewith of U.S. patents or patent applications cited. Copies of the other references listed above are provided herewith. Copies of the remaining references are contained in the parent application. No representation is made or intended that a prior art search has been made or that no better art than the listed is available. It is respectfully requested that the documents be considered and made of record, and that the present application be passed to allowance.

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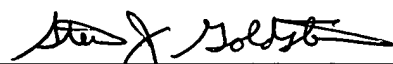
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Dec. 4, 2003, 2003

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10872.0519097

Respectfully submitted,

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Substitute for Form PTO 1449

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Application No.	
Filing Date	
First Named Inventor	LYNCH, Matthew
Art Unit	
Examiner Name	
Attorney Docket No.	010872.0519097

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner initials	Cite No.	DOCUMENT NUMBER	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind code ² (if known)			
		US-5,151,272	09-29-1992	Engstrom et al.	
		US-5,531,925	07-02-1996	Landh et al.	
		US-6,482,517 B1	11-19-2002	Anderson	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶
		Alfons and Engstrom, "Drug Compatibility with the Sponge Phases Formed in Monoolein, Water, and Propylene Glycol or Poly(ethylene glycol)," J. Pharm. Sci. Vol. 87, No. 12, 1527-1530 (December 1998)	
		Fontell, "Cubic phases in surfactant and surfactant-like lipid systems," Colloid. Polym. Sci. 268:264-285 (1990)	
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		Brown, ed., <i>Advances in Liquid Crystals</i> , Vol. 1, Ekwall, "Composition, Properties and Structures of Liquid Crystalline Phases in systems of Amphiphilic Compounds," pp 1-139, Academic Press (1975)	
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		Engström et al., "A study of polar lipid drug carrier systems undergoing a thermoreversible lamellar-to-cubic phase transition," Int. J. Pharmaceutics, 86 137-145 (1992)	
		Engström et al., "Phase behavior of the lidocaine-monoolein-water system," Int. J. Pharmaceutics, 79 113-122 (1992)	

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		Application Number	
		Confirmation Number	
		Filing Date	
		First Named Inventor	Lynch
		Group Art Unit	
		Examiner Name	
		Attorney Docket Number	10872.0519097

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EXAMINER INITIALS*	Cite No. ¹	U.S. PATENT DOCUMENT Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
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EXAMINER	DATE CONSIDERED
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¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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	Application Number	
	Confirmation Number	
	Filing Date	
	First Named Inventor	Matthew L. LYNCH et al.
	Group Art Unit	
	Examiner Name	
Attorney Docket Number	10672.0519097	

U. S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	U.S. PATENT DOCUMENT Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	FOREIGN PATENT DOCUMENT Office ³ Number ⁴	Kind Code ⁵ (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
	1	WO	01/68139	A1	Korea Institute of Science and Tech.	09/20/2001	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶
	2	J. S. KIM, et al., <i>Drug Formulations that Form a Dispersed Cubic Phase when Mixed with Water</i> , Proceed. Int'l. Symp. Control. Rel. Bioact. Mater., 27 (2000) Controlled Release Society, Inc., pgs. 1118 & 1119	

EXAMINER	DATE CONSIDERED
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Notice of References Cited	Application/Control No.	Applicant(s)/Patent Under LYNCH ET AL.	
	Examiner	Art Unit	Page 1 of 1

U.S. PATENT DOCUMENTS

		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,196,201	05-1993	LARSSON et al.	424/422
	B	US-5,371,109	12-1994	ENGSTROM et al.	514/786
	C	US-5,531,925	07-1996	LANDH et al.	252/299.01
	D	US-5,593,663	01-1997	LENG et al.	424/65
	E	US-5,753,259	05-1998	ENGSTROM et al.	424/450
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	G	US-5,753,259	05-1998	ENGSTROM et al.	424/450
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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.